

MANDATE

W.D.N.Y.
23-cv-166
15-cr-33
Arcara, J.

United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 10th day of April, two thousand twenty-four.

Present:

John M. Walker, Jr.,
Steven J. Menashi,
Circuit Judges,
Nusrat J. Choudhury,
*District Judge.**

In Re: Aaron Hicks,

24-48

Petitioner.

Petitioner, pro se, has filed a petition for a writ of mandamus seeking to compel the district court to rule on his recusal motion in his 28 U.S.C. § 2255 proceedings and moves for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion for leave to proceed in forma pauperis is GRANTED for the purpose of filing the mandamus petition. It is further ORDERED that the mandamus petition is DENIED as moot because the district court ruled on his motion. *See Barrett v. United States*, 105 F.3d 793, 794 (2d Cir. 1996) (per curiam).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit







* Judge Nusrat J. Choudhury, of the United States District Court for the Eastern District of New York, sitting by designation.

MANDATE ISSUED ON 06/17/2024